



STATE BOARD OF EQUALIZATION

May 25, 1970

C--- B. H--- and R--- L. R---
Public Accountants
XXX West --- Street
--- ---, California

Attention: Mr. R--- L. R---

Gentlemen:

This is an answer to your letter of January 30 in which you inquire respecting the application of the sales tax to non-returnable containers used in shipping bare-root roses.

As indicated by Sales and Use Tax Ruling 48, copy enclosed, sales of bare-root roses are exempt only if sold for resale.

In accordance with ruling 49, copy enclosed, sales of non-returnable containers to persons who place the contents therein and sell the container with the contents are non-taxable. The tax applies to the entire charge for container and contents, whether or not the charge for the containers is separately stated, but no portion of the charge is taxable if the sale of the contents is exempt.

Very truly yours,

E. H. Stetson
Tax Counsel

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